PREFACE

This supplement contains amendments to the environmental regulations adopted during the 3rd quarter of 2014 (July-September).

The amendments in this publication include the following:

Media	Rule Log #	Final Date
Part III. Air	AQ343ft	July 20, 2014
	AQ344ft	September 20, 2014
Part V. Hazardous Waste	HW114ft	July 20, 2014
	HW115	September 20, 2014
Part IX. Water Quality	WQ089ft	September 20, 2014
Part XV. Radiation Protection	RP056ft	July 20, 2014

Log # Suffix Key:

ft – Fast-Track Rule - Federal regulations promulgated in accordance with expedited procedures in R.S. 49:953(F)(3)
F – Federal Language
L – Louisiana Language
S – Substantive Changes to Proposed Rule
P – Rule resulting from a Petition for Rulemaking

Brenda Hayden

Environmental Regulatory Code Editor

This book belongs to:

Name:

Company:

Phone #: ( )

NOTES:

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Chapter 5. Permit Procedures

§506. Clean Air Interstate Rule Requirements

A. – B.4. …

C. Annual Sulfur Dioxide. Except as specified in this Section, The federal SO_2 model rule, published in the *Code of Federal Regulation* at 40 CFR 96, July 1, 2013, is hereby incorporated by reference, except for Subpart III-CAIR SO_2 OPT-in Units and all references to opt-in units.

D. – E. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30.2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 32:1597 (September 2006), amended LR 33:1622 (August 2007), LR 33:2083 (October 2007), LR 34:978 (June 2008), LR 35:1107 (June 2009), LR 36:2272 (October 2010), repromulgated LR 36:2551 (November 2010), amended LR 37:2989 (October 2011), LR 38:1229 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1276 (May 2013), LR 40:1334 (July 2014).

§507. Part 70 Operating Permits Program

A. – B.1. …

2. No Part 70 source may operate after the time that the owner or operator of such source is required to submit a permit application under Subsection C of this Section, unless an application has been submitted by the submittal deadline and such application provides information addressing all applicable sections of the application form and has been certified as complete in accordance with LAC 33:III.517.B.1. No Part 70 source may operate after the deadline provided for supplying additional information requested by the permitting authority under LAC 33:III.519, unless such additional information has been submitted within the time specified by the permitting authority. Permits issued to the Part 70 source under this Section shall include the elements required by 40 CFR 70.6. The department hereby adopts and incorporates by reference the provisions of 40 CFR 70.6(a), July 1, 2013. Upon issuance of the permit, the Part 70 source shall be operated in compliance with all terms and conditions of the permit. Noncompliance with any federally applicable term or condition of the permit shall constitute a violation of the Clean Air Act and shall be grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.

C. – J.5. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011, 2023, 2024, and 2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), LR 20:1375 (December 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2447 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 29:698 (May 2003), LR 30:1008 (May 2004), amended by the Office of Environmental Assessment, LR 31:1061 (May 2005), LR 31:1568 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2437 (October 2005), LR 32:808 (May 2006), LR 33:1619 (August 2007), LR 33:2083 (October 2007), LR 33:2630 (December 2007), LR 34:1391 (July 2008), LR 35:1107 (June 2009), LR 36:2272 (October 2010), LR 37:2990 (October 2011), LR 38:1229 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1276 (May 2013), LR 40:1334 (July 2014).

Chapter 7. Ambient Air Quality

§711. Tables 1, 1a, 2—Air Quality

A. Table 1. Primary Ambient Air Quality Standards

Table 1. Primary Ambient Air Quality Standards		
Air Contaminant	**Maximum Permissible Concentration**	
PM_{10}	150 µg/m^3	(Maximum 24-hour concentration not to be exceeded more than once per year)
$PM_{2.5}$	12 µg/m^3	(Annual arithmetic mean, averaged over 3 years) The standard is met when the annual arithmetic mean concentration, as determined in accordance with appendix N of 40 CFR Part 50 is less than or equal to 12 µg/m^3.
	35 µg/m^3	(24-hour, averaged over 3 years) The standard is met when the 98th percentile 24-hour concentration, as determined in accordance with Appendix N of 40 CFR Part 50 is less than or equal to 35 ug/m^3.
Sulfur Dioxide (SO_2)	75 ppb daily maximum 1-hour concentration	The standard is met at an ambient air monitoring site when the 3-year average of the annual 99th percentile of the daily maximum 1-hour average concentration is less than or equal to 75 ppb, as determined in accordance with 40 CFR Part 50 appendix T.
Carbon Monoxide (CO)	10,000 µg/m^3	or 9 ppm (Maximum 8-hour concentration not to be exceeded more than once per year)
	40,000 µg/m^3	or 35 ppm (Maximum 1-hour concentration not to be exceeded more than once per year)

Table 1. Primary Ambient Air Quality Standards		
Air Contaminant	**Maximum Permissible Concentration**	
Ozone	0.075 ppm daily maximum 8-hour average	The standard is met at an ambient air monitoring site when the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentrations is less than or equal to 0.075 ppm, as determined in accordance with 40 CFR Part 50, appendix P.
Nitrogen Dioxide (NO_2)	53 ppb	(Annual arithmetic mean) The Standard is met when the annual arithmetic mean is less than or equal to 53 ppb, as determined in accordance with 40 CFR Part 50, appendix S.
	100 ppb	(1-hour average concentration) The standard is met when the 3-year average of the annual 98th percentile of the daily maximum 1-hour average concentration is less than or equal to 100 ppb, as determined in accordance with 40 CFR Part 50, appendix S.
Lead	0.15 $\mu g/m^3$	(3-month rolling average) (The standard is met when the maximum arithmetic 3-month mean concentration for a 3-year period, as determined in accordance with appendix R of 40 CFR Part 50 is less than or equal to 0.15 $\mu g/m^3$.

A.1. – 2. …

B. Table 1a. Secondary Ambient Air Quality Standards

Table 1a. Secondary Ambient Air Quality Standards		
Air Contaminant	**Maximum Permissible Concentration**	
PM_{10}	150 $\mu g/m^3$	(Maximum 24-hour concentration not to be exceeded more than once per year)
Sulfur Dioxide (SO_2)	0.5 ppm	(3-hour average concentration not to be exceeded more than once per year)
$PM_{2.5}$	15.0 $\mu g/m^3$	(Annual arithmetic mean, averaged over 3 years) The standard is met when the annual arithmetic mean concentration, as determined in accordance with appendix N of 40 CFR Part 50 is less than or equal to 15 $\mu g/m^3$.
	35 $\mu g/m^3$	(24-hour, averaged over 3 years) The standard is met when the 98th percentile 24-hour concentration, as determined in accordance with appendix N of 40 CFR Part 50 is less than or equal to 35 $\mu g/m^3$.

Table 1a. Secondary Ambient Air Quality Standards		
Air Contaminant	**Maximum Permissible Concentration**	
Carbon Monoxide (CO)	10,000 $\mu g/m^3$	or 9 ppm (Maximum 8-hour concentration not to be exceeded more than once per year)
	40,000 $\mu g/m^3$	or 35 ppm (Maximum 1-hour concentration not to be exceeded more than once per year)
Ozone	0.075 ppm daily maximum 8-hour average	The standard is met at an ambient air monitoring site when the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentrations is less than or equal to 0.075 ppm, as determined in accordance with 40 CFR Part 50, appendix P.
Nitrogen Dioxide (NO_2)	100 $\mu g/m^3$	(0.053 ppm) (Annual arithmetic mean) The Standard is met when the annual arithmetic mean concentration in a calendar year is less than or equal to 0.053 ppm.
Lead	0.15 $\mu g/m^3$	(3-month rolling average) (The standard is met when the maximum arithmetic 3-month mean concentration for a 3-year period, as determined in accordance with appendix R of 40 CFR Part 50 is less than 0.15 $\mu g/m^3$.

B.1. – 2 …

C. Table 2. Ambient Air – Methods of Contaminant Measurement

Table 2. Ambient Air—Methods of Contaminant Measurement		
Air Contaminant	**Sampling Interval**	**Analytical Method**
PM_{10}	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, appendix J.
$PM_{2.5}$	24 hours	Reference method based on appendix L to 40 CFR Part 50 and designated in accordance with 40 CFR Part 53 or an equivalent method designated in accordance with 40 CFR Part 53.
Sulfur Dioxide	24 hours	Reference method based on appendix A-1 or A-2 to 40 CFR Part 50 or an equivalent method designated in accordance with 40 CFR Part 53.
	Continuous	Reference method based on appendix A-1 or A-2 to 40 CFR Part 50 or an equivalent method designated in accordance with 40 CFR Part 53.

Table 2. Ambient Air—Methods of Contaminant Measurement		
Air Contaminant	**Sampling Interval**	**Analytical Method**
Total Oxidants	Continuous	Reference method based on appendix D to 40 CFR Part 50 and designated in accordance with 40 CFR Part 53 or an equivalent method designated in accordance with 40 CFR Part 53.
Carbon Monoxide	Continuous	Any method complying with reference or equivalent methods in Title 40, Code of Federal Regulations, Part 50, appendix C, and Part 53, Subpart B.
Nitrogen Dioxide	24 hours	Reference method based on appendix F to 40 CFR Part 50 or an equivalent method designated in accordance with 40 CFR Part 53.
Lead	24 hours	Reference method based on appendix G to 40 CFR Part 50 or an equivalent method designated in accordance with 40 CFR Part 53.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 14:348 (June 1988), amended by the Office of the Secretary, Legal Affairs Division, LR 32:1602 (September 2006), LR 34:433 (March 2008), amended by the Office of the Secretary, Legal Division, LR 40:1690 (September 2014).

Chapter 9. General Regulations on Control of Emissions and Emission Standards

§918. Nonattainment Areas and Adjoining Parishes List

A. …

B. Table 1. – Table 5. …

Table 6	
Sulfur Dioxide (SO_2) Nonattainment Areas and Adjoining Parishes	
Parish Code	**Nonattainment Parish(es)**
2500	St. Bernard
Parish Code	**Adjoining Parishes to Nonattainment Areas**
2140, 2240	Orleans and Plaquemines

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:339 (May 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2450 (November 2000), LR 29:2776 (December 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 33:2083 (October 2007), LR 37:3221 (November 2011), amended by the Office of the Secretary, Legal Division, LR 40:1691 (September 2014).

Chapter 21. Control of Emission of Organic Compounds

Subchapter N. Method 43—Capture Efficiency Test Procedures

[*Editor's Note*: This Subchapter was moved and renumbered from Chapter 61 (December 1996).]

§2160. Procedures

A. Except as provided in Subsection C of this Section, the regulations at 40 CFR 51, Appendix M, July 1, 2013, are hereby incorporated by reference.

B. – C.2.b.iv. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:653 (July 1991), amended LR 22:1212 (December 1996), LR 23:1680 (December 1997), LR 24:1286 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:1224 (August 2001), LR 29:698 (May 2003), LR 30:1009 (May 2004), amended by the Office of Environmental Assessment, LR 31:1568 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:809 (May 2006), LR 33:1620 (August 2007), LR 34:1391 (July 2008), LR 35:1107 (June 2009), LR 36:2272 (October 2010), LR 37:2990 (October 2011), LR 38:1230 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1277 (May 2013), LR 40:1334 (July 2014).

Chapter 30. Standards of Performance for New Stationary Sources (NSPS)

Subchapter A. Incorporation by Reference

§3003. Incorporation by Reference of 40 *Code of Federal Regulations* (CFR) Part 60

A. Except for 40 CFR 60, Subpart AAA, and as modified in this Section, Standards of Performance for New Stationary Sources, published in the *Code of Federal Regulations* at 40 CFR 60, July 1, 2013, are hereby incorporated by reference as they apply to the state of Louisiana. Also incorporated by reference are amendments to 40 CFR 60: Subpart CCCC and DDDD (78 FR 9111 - 9213, February 7, 2013). These amendments set forth the Environmental Protection Agency's (EPA) final decision on the issues for which it granted reconsideration in the March 21, 2011, final rule (76 FR 15703 - 15790), along with other amendments that establishes effective dates for the standards and makes technical corrections; final rule to 40 CFR 60 Subpart MMMM and LLLL promulgated on March 21,

2011, (76 FR 15372 – 15453); and 40 CFR 60 Subpart Ga as promulgated on August 14, 2012, (77 FR 48433 – 48448).

B. – C. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:1212 (December 1996), amended LR 23:1681 (December 1997), LR 24:1287 (July 1998), LR 24:2238 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1239 (July 1999), LR 25:1797 (October 1999), LR 26:1607 (August 2000), LR 26:2460, 2608 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 28:2179 (October 2002), LR 29:316 (March 2003), LR 29:698 (May 2003), LR 30:1009 (May 2004), amended by the Office of Environmental Assessment, LR 31:1568 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2446 (October 2005), LR 32:809 (May 2006), LR 32:1596 (September 2006), LR 33:1620 (August 2007), LR 33:2092 (October 2007), LR 33:2626 (December 2007), LR 34:1391 (July 2008), LR 35:1107 (June 2009), LR 36:2273 (October 2010), LR 37:2990 (October 2011), LR 38:1230 (May 2012), amended by the Office of the Secretary, Legal Division, LR 38:2754 (November 2012), LR 39:1039 (April 2013), LR 39:1277 (May 2013), LR 40:1335 (July 2014).

Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program

Subchapter B. Incorporation by Reference of 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants)

§5116. Incorporation by Reference of 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants)

A. Except as modified in this Section and specified below, National Emission Standards for Hazardous Air Pollutants, published in the *Code of Federal Regulations* at 40 CFR 61, July 1, 2013, and specifically listed in the following table, are hereby incorporated by reference as they apply to sources in the state of Louisiana.

40 CFR Part 61	Subpart/Appendix Heading
* * *	
[See Prior Text in Subpart A – Appendix C]	

B. – C. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:61 (January 1997), amended LR 23:1658 (December 1997), LR 24:1278 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1464 (August 1999), LR 25:1797 (October 1999), LR 26:2271 (October 2000), LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:2179 (October 2002), LR 29:699 (May 2003), LR 30:1009 (May 2004), amended by the Office of Environmental Assessment, LR 31:1569 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2448 (October 2005), LR 32:809 (May 2006), LR 33:1620 (August 2007), LR 33:2094 (October 2007), LR 34:1391 (July 2008), LR 35:1108 (June 2009), LR 36:2273 (October 2010), LR 37:2990 (October 2011), LR 38:1230 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1277 (May 2013), LR 40:1335 (July 2014).

Subchapter C. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as It Applies to Major Sources

§5122. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as It Applies to Major Sources

A. Except as modified in this Section and specified below, National Emission Standards for Hazardous Air Pollutants for Source Categories, published in the *Code of Federal Regulations* at 40 CFR 63, July 1, 2013, are hereby incorporated by reference as they apply to major sources in the state of Louisiana.

B. – C.3. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:61 (January 1997), amended LR 23:1659 (December 1997), LR 24:1278 (July 1998), LR 24:2240 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1464 (August 1999), LR 25:1798 (October 1999), LR 26:690 (April 2000), LR 26:2271 (October 2000), LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:2180 (October 2002), LR 29:699 (May 2003), LR 29:1474 (August 2003), LR 30:1010 (May 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2449 (October 2005), LR 31:3115 (December 2005), LR 32:810 (May 2006), LR 33:1620 (August 2007), LR 33:2095 (October 2007), LR 33:2627 (December 2007), LR 34:1392 (July 2008), LR 35:1108 (June 2009), LR 36:2273 (October 2010), LR 37:2991 (October 2011), LR 38:1231 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1278 (May 2013), LR 40:1335 (July 2014).

Chapter 53. Area Sources of Toxic Air Pollutants

Subchapter B. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as It Applies to Area Sources

§5311. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as It Applies to Area Sources

A. Except as modified in this Section and specified below, National Emission Standards for Hazardous Air Pollutants for Source Categories, published in the *Code of Federal Regulations* at 40 CFR 63, July 1, 2013, are hereby incorporated by reference as they apply to area sources in the state of Louisiana.

B. – C. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:63 (January 1997), amended LR 23:1660 (December 1997), LR 24:1279 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1464 (August 1999), LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:2180 (October 2002), LR 29:699 (May 2003), LR 30:1010 (May 2004), amended by the Office of Environmental Assessment, LR 31:1569 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2451 (October 2005), LR 32:810 (May 2006), LR 33:1620 (August 2007), LR 33:2096 (October 2007), LR 34:1392 (July 2008), LR 35:1108 (June 2009), LR 36:2274 (October 2010), LR 37:2991 (October 2011), LR 38:1231 (May 2012), amended by the Office of the Secretary, Legal Division, LR 38:2756 (November 2012), LR 39:1278 (May 2013), LR 40:1336 (July 2014).

Chapter 59. Chemical Accident Prevention and Minimization of Consequences

Subchapter A. General Provisions

§5901. Incorporation by Reference of Federal Regulations

A. Except as provided in Subsection C of this Section, the department incorporates by reference 40 CFR 68, July 1, 2013.

B. – C.6. …

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AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054 and 30:2063.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:421 (April 1994), amended LR 22:1124 (November 1996), repromulgated LR 22:1212 (December 1996), amended LR 24:652 (April 1998), LR 25:425 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:70 (January 2000), LR 26:2272 (October 2000), LR 28:463 (March 2002), LR 29:699 (May 2003), LR 30:1010 (May 2004), amended by the Office of Environmental Assessment, LR 30:2463 (November 2004), LR 31:1570 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:810 (May 2006), LR 33:1621 (August 2007), LR 34:1392 (July 2008), LR 35:1109 (June 2009), LR 36:2274 (October 2010), LR 37:2991 (October 2011), LR 38:1231 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1278 (May 2013), LR 40:1336 (July 2014).

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Title 33
ENVIRONMENTAL QUALITY
Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality—Hazardous Waste
Chapter 1. General Provisions and Definitions

§105. Program Scope

These rules and regulations apply to owners and operators of all facilities that generate, transport, treat, store, or dispose of hazardous waste, except as specifically provided otherwise herein. The procedures of these regulations also apply to the denial of a permit for the active life of a hazardous waste management facility or TSD unit under LAC 33:V.706. Definitions appropriate to these rules and regulations, including *solid waste* and *hazardous waste*, appear in LAC 33:V.109. Wastes that are excluded from regulation are found in this Section.

A. – D.1.v.iii. …

iv. glass removed from CRTs, provided that it meets the requirements of LAC 33:V.4911;

w. solvent-contaminated wipes that are sent for cleaning and reuse are not solid wastes from the point of generation, provided that:

i. the solvent-contaminated wipes, when accumulated, stored, and transported, are contained in nonleaking, closed containers that are labeled "Excluded Solvent-Contaminated Wipes." The containers shall be able to contain free liquids, should free liquids occur. During accumulation, a container is considered closed when there is complete contact between the fitted lid and the rim, except when it is necessary to add or remove solvent-contaminated wipes. When the container is full, or when the solvent-contaminated wipes are no longer being accumulated, or when the container is being transported, the container shall be sealed with all lids properly and securely affixed to the container and all openings tightly bound or closed sufficiently to prevent leaks and emissions;

ii. the solvent-contaminated wipes may be accumulated by the generator for up to 180 days from the start date of accumulation for each container prior to being sent for cleaning;

iii. at the point of being sent for cleaning on-site or at the point of being transported off-site for cleaning, the solvent-contaminated wipes shall contain *no free liquids* as defined in LAC 33:V.109;

iv. free liquids removed from the solvent-contaminated wipes or from the container holding the wipes shall be managed according to the applicable regulations found in LAC 33:V.Subpart 1;

v. generators shall maintain, at their sites, the following documentation:

(a). the name and address of the laundry or dry cleaner that is receiving the solvent-contaminated wipes;

(b). documentation that the 180-day accumulation time limit in LAC 33:V.105.D.1.w.ii is being met; and

(c). the description of the process the generator is using to ensure the solvent-contaminated wipes contain no free liquids at the point of being laundered or dry cleaned on-site or at the point of being transported off-site for laundering or dry cleaning; and

vi. the solvent-contaminated wipes are sent to a laundry or dry cleaner whose discharge, if any, is regulated under sections 301 and 402, or section 307 of the Clean Water Act.

2. – 2.p.v. …

q. solvent-contaminated wipes, except for wipes that are hazardous waste due to the presence of trichloroethylene, that are sent for disposal are not hazardous wastes from the point of generation provided that:

i. the solvent-contaminated wipes, when accumulated, stored, and transported, are contained in nonleaking, closed containers that are labeled "Excluded Solvent-Contaminated Wipes." The containers shall be able to contain free liquids, should free liquids occur. During accumulation, a container is considered closed when there is complete contact between the fitted lid and the rim, except when it is necessary to add or remove solvent-contaminated wipes. When the container is full, or when the solvent-contaminated wipes are no longer being accumulated, or when the container is being transported, the container shall be sealed with all lids properly and securely affixed to the container and all openings tightly bound or closed sufficiently to prevent leaks and emissions;

ii. the solvent-contaminated wipes may be accumulated by the generator for up to 180 days from the start date of accumulation for each container prior to being sent for disposal;

iii. at the point of being transported for disposal, the solvent-contaminated wipes shall contain *no free liquids* as defined in LAC 33:V.109;

iv. free liquids removed from the solvent-contaminated wipes or from the container holding the wipes shall be managed according to the applicable regulations found in LAC 33:V.Subpart 1;

v. generators shall maintain at their sites the following documentation:

(a). the name and address of the landfill or combustor that is receiving the solvent-contaminated wipes;

(b). documentation that the 180 day accumulation time limit in LAC 33:V.105.D.2.q.ii is being met; and

(c). a description of the process the generator is using to ensure solvent-contaminated wipes contain no free liquids at the point of being transported for disposal;

vi. the solvent-contaminated wipes are sent for disposal:

(a). to a municipal solid waste landfill regulated under LAC 33:VII.711, or to a hazardous waste landfill regulated under LAC 33:V.Chapter 25 or LAC 33:V.Chapter 43.Subchapter M; or

(b). to a municipal waste combustor or other combustion facility regulated under section 129 of the Clean Air Act or to a hazardous waste combustor, boiler, or industrial furnace regulated under LAC 33:V.Chapter 30.

D.3. – P.2. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq., and in particular, 2186(A)(2).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 11:1139 (December 1985), LR 12:319 (May 1986), LR 13:84 (February 1987), LR 13:433 (August 1987), LR 13:651 (November 1987), LR 14:790 (November 1988), LR 15:181 (March 1989), LR 16:47 (January 1990), LR 16:217, LR 16:220 (March 1990), LR 16:398 (May 1990), LR 16:614 (July 1990), LR 17:362, 368 (April 1991), LR 17:478 (May 1991), LR 17:883 (September 1991), LR 18:723 (July 1992), LR 18:1256 (November 1992), LR 18:1375 (December 1992), amended by the Office of the Secretary, LR 19:1022 (August 1993), amended by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 20:1000 (September 1994), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:813, 831 (September 1996), amended by the Office of the Secretary, LR 23:298 (March 1997), amended by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 23:564, 567 (May 1997), LR 23:721 (June 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 23:952 (August 1997), LR 23:1511 (November 1997), LR 24:298 (February 1998), LR 24:655 (April 1998), LR 24:1093 (June 1998), LR 24:1687, 1759 (September 1998), LR 25:431 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:268 (February 2000), LR 26:2464 (November 2000), LR 27:291 (March 2001), LR 27:706 (May 2001), LR 29:317 (March 2003), LR 30:1680 (August 2004), amended by the Office of Environmental Assessment, LR 30:2463 (November 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2451 (October 2005), LR 32:605 (April 2006), LR 32:821 (May 2006), LR 33:450 (March 2007), LR 33:2097 (October 2007), LR 34:614 (April 2008), LR 34:1008 (June 2008), LR 34:1893 (September 2008), LR 34:2395 (November 2008), LR 35:1878 (September 2009), LR 36:2553 (November 2010), LR 38:791 (March 2012), amended by the Office of the Secretary, Legal Division. LR 40:1336 (July 2014).

§109. Definitions

For all purposes of these rules and regulations, the terms defined in this Chapter shall have the following meanings, unless the context of use clearly indicates otherwise.

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No Free Liquids—as used in LAC 33:V.105.D.1.w and LAC 33:V.105.D.2.q, means that solvent-contaminated wipes may not contain free liquids as determined by Method 9095B (Paint Filter Liquids Test), included in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (EPA Publication SW-846), which is incorporated by reference at LAC 33:V.110, and that there is no free liquid in the container holding the wipes. No free liquids may also be determined using another standard or test method as defined by the administrative authority.

***

Solvent-Contaminated Wipe—

1. a wipe that, after use or after cleaning up a spill:

a. contains one or more of the F001 through F005 solvents listed in LAC 33:V.4901.C, or the corresponding P- or U-listed solvents listed in LAC 33:V.4901.E or F;

b. exhibits a hazardous characteristic found in LAC 33:V.4903, when that characteristic results from a solvent listed in LAC 33:V.4901; and/or

c. exhibits only the hazardous waste characteristic of ignitability found in LAC 33:V.4903.B;

2. solvent-contaminated wipes that contain listed hazardous waste other than solvents, or exhibit the characteristic of toxicity, corrosivity, or reactivity due to contaminants other than solvents, are not eligible for the exclusions at LAC 33:V.105.D.1.w and LAC 33:V.105.D.2.q.

***

Wipe–a woven or nonwoven shop towel, rag, pad, or swab made of wood pulp, fabric, cotton, polyester blends, or other material.

***

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 11:1139 (December 1985), LR 12:319 (May 1986), LR 13:84 (February 1987), LR 13:433 (August 1987), LR 13:651 (November 1987), LR 14:790, 791 (November 1988), LR 15:378 (May 1989), LR 15:737 (September 1989), LR 16:218, 220 (March 1990), LR 16:399 (May 1990), LR 16:614 (July 1990), LR 16:683 (August 1990), LR 17:362 (April 1991), LR 17:478 (May 1991), LR 18:723 (July 1992), LR 18:1375 (December 1992), repromulgated by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 19:626 (May 1993), amended LR 20:1000 (September 1994), LR 20:1109 (October 1994), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:814 (September 1996), LR 23:564 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:655 (April 1998), LR 24:1101 (June 1998), LR 24:1688 (September 1998), LR

25:433 (March 1999), repromulgated LR 25:853 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:269 (February 2000), LR 26:2465 (November 2000), LR 27:291 (March 2001), LR 27:708 (May 2001), LR 28:999 (May 2002), LR 28:1191 (June 2002), LR 29:318 (March 2003); amended by the Office of the Secretary, Legal Affairs Division, LR 31:2452 (October 2005), LR 31:3116 (December 2005), LR 32:606 (April 2006), LR 32:822 (May 2006), LR 33:1625 (August 2007), LR 33:2098 (October 2007), LR 34:71 (January 2008), LR 34:615 (April 2008), LR 34:1009 (June 2008), LR 34:1894 (September 2008), LR 34:2396 (November 2008), LR 36:1235 (June 2010), repromulgated LR 36:1535 (July 2010), amended LR 36:2554 (November 2010), LR 38:774, 781 (March 2012), repromulgated LR 38:1009 (April 2012), amended by the Office of the Secretary, Legal Division, LR 40:1338 (July 2014).

Chapter 49. Lists of Hazardous Wastes

[Editor's Note: Chapter 49 is divided into two Sections: Category I Hazardous Wastes, which consist of Hazardous Wastes from nonspecific and specific sources (F and K wastes), Acute Hazardous Wastes (P wastes), and Toxic Wastes (U wastes) (LAC 33:V.4901); and Category II Hazardous Wastes, which consist of wastes that are ignitable, corrosive, reactive, or toxic (LAC 33:V.4903).]

§4999. Appendices—Appendix A, B, C, D, E, and F

Appendix A. – Appendix D. …

***

Appendix E. Wastes Excluded under LAC 33:V.105.M

A. – B.3.b. …

***

Table 2 – One-Time Wastes Excluded
Conrad Industries, Inc. (Conrad), Morgan City, LA
Hazardous waste incinerator ash was generated as a result of the combustion of hazardous wastes and nonhazardous wastes in a rotary kiln incinerator at Marine Shale Processors (MSP) in Amelia, Louisiana. In 1986, a quantity of the MSP ash was used as fill material for the former slip area at the Conrad Industries, Inc. (Conrad) facility located in Morgan City, Louisiana. For the purpose of this exclusion, MSP generated ash used as fill material by Conrad includes all hazardous waste codes listed in LAC 33:V.4901. This is a one-time exclusion for approximately 4,000 tons of MSP generated ash placed in the former slip area at the Conrad facility in Morgan City, Louisiana, for the purpose of excavation, transportation and disposal in a Subtitle D landfill, or management in place as non-hazardous solid waste pursuant to alternate methods approved by the administrative authority.

Appendix F. …

A. – B.3, Table 2. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, LR 20:1000 (September 1994), amended by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 21:944 (September 1995), LR 22:830 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 23:952 (August 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:2397 (December 1999), LR 26:2509 (November 2000), LR 29:1084 (July 2003), repromulgated LR 29:1475 (August 2003), amended by the Office of Environmental Assessment, LR 30:2464 (November 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 33:445 (March 2007), LR 33:825 (May 2007), LR 33:1016 (June 2007), LR 34:73 (January 2008), LR 34:1021 (June 2008), LR 34:1613 (August 2008), amended by the Office of the Secretary, Legal Division, LR 38:2757 (November 2012), LR 40:1692 (September 2014).

Title 33
ENVIRONMENTAL QUALITY
Part IX. Water Quality
Subpart 1. Water Pollution Control
Chapter 49. Incorporation by Reference

§4901. 40 CFR Part 136

A. 40 CFR Part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, July 1, 2013, in its entirety, is hereby incorporated by reference.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended LR 23:958 (August 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1467 (August 1999), LR 26:1609 (August 2000), LR 27:2231 (December 2001), LR 28:996 (May 2002), LR 29:700 (May 2003), repromulgated LR 30:232 (February 2004), amended LR 30:752 (April 2004), amended by the Office of Environmental Assessment, LR 31:920 (April 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:604 (April 2006), LR 33:641 (April 2007), LR 34:867 (May 2008), LR 35:1110 (June 2009), LR 36:2275 (October 2010), amended by the Office of the Secretary, Legal Division, LR 38:2747 (November 2012), LR 40:1693 (September 2014).

§4903. 40 CFR, Chapter I, Subchapter N

A. 40 CFR Chapter I, Subchapter N, Effluent Guidelines and Standards, Parts 401 and 405-471, July 1, 2013, are hereby incorporated by reference.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended LR 23:958 (August 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1467 (August 1999), LR 26:1609 (August 2000), LR 27:2232 (December 2001), LR 28:996 (May 2002), LR 29:700 (May 2003), LR 29:1467 (August 2003), repromulgated LR 30:232 (February 2004), amended LR 30:752 (April 2004), amended by the Office of Environmental Assessment, LR 31:920 (April 2005), amended by the Office of the Secretary, Legal Affairs Division LR 32:604 (April 2006), LR 32:819 (May 2006), LR 33:641 (April 2007), LR 34:867 (May 2008), LR 35:654 (April 2009), LR 35:1110 (June 2009), LR 36:2275 (October 2010), amended by the Office of the Secretary, Legal Division, LR 38:2747 (November 2012), LR 40:1693 (September 2014).

Title 33
ENVIRONMENTAL QUALITY
Part XV. Radiation Protection
Chapter 1. General Provisions

§102. Definitions and Abbreviations

As used in these regulations, these terms have the definitions set forth below. Additional definitions used only in a certain chapter may be found in that Chapter.

***

Radiation Area—an area, accessible to individuals, in which radiation levels could result in an individual receiving a dose equivalent in excess of five millirems (0.05 millisievert) in one hour at 30 centimeters from the radiation source or from any surface that the radiation penetrates.

***

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.(1).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), LR 19:1421 (November 1993), LR 20:650 (June 1994), LR 22:967 (October 1996), LR 24:2089 (November 1998), repromulgated LR 24:2242 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2563 (November 2000), LR 26:2767 (December 2000), LR 30:1171, 1188 (June 2004), amended by the Office of Environmental Assessment, LR 31:44 (January 2005), LR 31:1064 (May 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:811 (May 2006), LR 32:1853 (October 2006), LR 33:1016 (June 2007), LR 33:2175 (October 2007), LR 34:982 (June 2008), LR 36:1771 (August 2010), amended by the Office of the Secretary, Legal Division, LR 38:2748 (November 2012), LR 40:283 (February 2014), LR 40:1338 (July 2014).

Chapter 3. Licensing of Radioactive Material
Subchapter A. Exemptions

§304. Radioactive Material Other Than Source Material

A. Exempt Concentrations

1. Except as provided in Paragraphs A. 3 and 4 of this Section, any person is exempt from this Chapter to the extent that such person receives, possesses, uses, transfers, owns, or acquires products or materials containing radioactive material in concentrations not in excess of those listed in Schedule A of this Chapter.

2. This Section shall not be deemed to authorize the import of byproduct material or products containing byproduct material.

3. A manufacturer, processor, or producer of a product or material is exempt from the requirements for a license set forth in these regulations to the extent that this person transfers byproduct material contained in a product or material in concentrations not in excess of those specified in Schedule A of this Chapter and introduced into the product or material by a licensee holding a specific license issued pursuant to 10 CFR 32.11 expressly authorizing such introduction. This exemption does not apply to the transfer of byproduct material contained in any food, beverage, cosmetic, drug, or other commodity or product designed for ingestion or inhalation by, or application to, a human being.

4. No person may introduce byproduct material into a product or material, knowing or having reason to believe that it will be transferred to persons exempt under LAC 33:XV.304.A.1 or equivalent regulations of any agreement state, except in accordance with a specific license issued pursuant to 10 CFR 32.11.

B. Exempt Quantities

1. Except as provided in Paragraphs B.3-5 of this Section, any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers, owns, or acquires byproduct material in individual quantities, none of which exceeds the applicable quantity set forth in Schedule B of this Chapter.

2. …

3. LAC 33:XV.304.B does not authorize the production, packaging, repackaging, or transfer of byproduct material for purposes of commercial distribution or the incorporation of byproduct material into products intended for commercial distribution.

4. No person may, for purposes of commercial distribution, transfer byproduct material in the individual quantities set forth in Schedule B of this Chapter knowing, or having reason to believe, that such quantities of byproduct material will be transferred to persons exempt under Subsection B of this Section or equivalent regulations of the U.S. Nuclear Regulatory Commission or any other agreement state, except in accordance with a specific license issued by the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 32.18 or by the administrative authority in accordance with LAC 33:XV.328.B, which license states that the byproduct material may be transferred by the licensee to persons exempt under Subsection B of this Section or the equivalent regulations of the U.S. Nuclear Regulatory Commission, or any other agreement state or licensing state. Authority to transfer possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing byproduct material whose subsequent possession, use, transfer, and disposal by all other persons are exempted from regulatory requirements may be obtained only from the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

5. No person may, for purposes of producing an increased radiation level, combine quantities of byproduct material covered by this exemption so that the aggregate

quantity exceeds the limits set forth in 10 CFR 30.71 Schedule B, except for byproduct material combined within a device placed in use before May 3, 1999, or as otherwise permitted by the regulations in this Chapter.

C. Exempt Items

1. Certain Items Containing Byproduct Material. Authority to transfer possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing byproduct material whose subsequent possession, use, transfer, and disposal by all other persons are exempted from regulatory requirements may be obtained only from the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Except for persons who apply byproduct material to, or persons who incorporate byproduct material into, the following products, or persons who initially transfer for sale or distribution the following products containing byproduct material, any person is exempt from these regulations to the extent that he or she receives, possesses, uses, transfers, owns, or acquires the following products:

a. Timepieces or hands or dials containing not more than the following specified quantities of byproduct material and not exceeding the following specified levels of radiation:

i. – vi. …

vii. the levels of radiation from hands and dials containing promethium-147 will not exceed, when measured through 50 milligrams per square centimeter of absorber:

vii.(a). – viii. …

b. Devices such as:

i. static elimination devices which contain, as a sealed source or sources, byproduct material consisting of a total of not more than 500 microcurie (18.5 MBq) of polonium-210 per device;

ii. ion generating tubes designed for ionization of air that contain, as a sealed source or sources, byproduct material consisting of a total of not more than 18.5 MBq (500 μCi) of polonium-210 per device or of a total of not more than 1.85 GBq (50 mCi) of hydrogen-3 (tritium) per device;

iii. such devices authorized before October 23, 2012, for use under the general license then provided in 10 CFR 31.3 and equivalent regulations of agreement states and manufactured, tested, and labeled by the manufacturer in accordance with the specifications contained in a specific license issued by the Nuclear Regulatory Commission.

c. …

d. Marine compasses containing not more than 750 millicuries of tritium gas and other marine navigational instruments containing not more than 250 millicuries of tritium gas manufactured before December 17, 2007.

e. Ionization chamber smoke detectors containing not more than 1 microcurie (μCi) of americium-241 per detector in the form of a foil and designed to protect life and property from fires.

f. Electron tubes, provided that no tube contains more than one of the following specified quantities of byproduct material:

i. – vi. …

vii. provided further, that the levels of radiation from each electron tube containing byproduct material do not exceed 1 millirad per hour at 1 centimeter from any surface when measured through 7 milligrams per square centimeter of absorber; and

viii. …

g. Ionizing radiation measuring instruments containing, for the purposes of internal calibration or standardization, one or more sources of byproduct material, provided that:

i. – iii. …

2. Self-Luminous Products Containing Byproduct Material

a. Tritium, Krypton-85, or Promethium-147. Except for persons who manufacture, process, produce, or initially transfer for sale or distribution self-luminous products containing tritium, krypton-85, or promethium-147, any person is exempt from the requirements for a license set forth in these regulations to the extent that such person receives, possesses, uses, transfers, owns, or acquires tritium, krypton-85, or promethium-147 in self-luminous products manufactured, processed, produced, or initially transferred in accordance with a specific license issued by the U.S. Nuclear Regulatory Commission pursuant to 10 CFR 32.22, which license authorizes the initial transfer of the product for use under this Subparagraph. Any person who desires to manufacture, process, or produce, or initially transfer for sale or distribution self-luminous products containing tritium, krypton-85, or promethium-147 for use under this Subparagraph, shall apply for a license under 10 CFR 32.22 and for a certificate of registration in accordance with 10 CFR 32.210. The exemption in this Subparagraph does not apply to tritium, krypton-85, or promethium-147 used in products primarily for frivolous purposes or in toys or adornments.

2.b. – 4.d. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), LR 24:2091 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:1226 (August 2001), amended by the Office of the Secretary, Legal Division, LR 38:2746 (November 2012), LR 40:1339 (July 2014).

Subchapter C. General Licenses

§322. General Licenses: Radioactive Material Other Than Source Material

A. Certain Devices and Equipment. A general license is hereby issued to transfer, receive, acquire, own, possess, and use radioactive material incorporated in the following devices or equipment that have been manufactured, tested, and labeled by the manufacturer in accordance with a specific license issued to the manufacturer by the U.S. Nuclear Regulatory Commission for use pursuant to 10 CFR 31.3. Attention is directed particularly to the provisions of 10 CFR 20 concerning labeling of containers. This general license is subject to the provisions of LAC 33:XV.104-109, 304.A. 3 and 4, 331, 340, 350, and Chapters 4, 10, and 15 of these regulations.

A.1. – J.4. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2567 (November 2000), LR 27:1226 (August 2001), LR 30:1663 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2524 (October 2005), LR 32:811 (May 2006), LR 33:448 (March 2007), LR 33:2177 (October 2007), amended by the Office of the Secretary, Legal Division, LR 40:1340 (July 2014).

Subchapter D. Specific Licenses

§328. Special Requirements for Specific License to Manufacture, Assemble, Repair, or Distribute Commodities, Products, or Devices that Contain Byproduct Material

A. Licensing the Introduction of Byproduct Material into Products in Exempt Concentrations. No person may introduce byproduct material into a product or material knowing or having reason to believe that it will be transferred to persons exempt under LAC 33:XV.304.A.1 or equivalent regulations of an agreement state, except in accordance with a license issued pursuant to 10 CFR 32.11.

B. – M.4.g. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), LR 24:2092 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2569 (November 2000), LR 26:2768 (December 2000), LR 27:1228 (August 2001), LR 30:1664 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2526 (October 2005), LR 33:2179 (October 2007), LR 36:1771 (August 2010), amended by the Office of the Secretary, Legal Division, LR 38:2746 (November 2012), LR 40:286 (February 2014), LR 40:1341 (July 2014).

Chapter 4. Standards for Protection against Radiation

Subchapter B. Radiation Protection Programs

§410. Occupational Dose Limits for Adults

A. – B. …

C. When the external exposure is determined by measurement with an external personal monitoring device, the deep-dose equivalent shall be used in place of the effective dose equivalent, unless the effective dose equivalent is determined by a dosimetry method approved by the department. The assigned deep dose equivalent shall be for the part of the body receiving the highest exposure. The assigned shallow dose equivalent shall be the dose averaged over the contiguous 10 square centimeters of skin receiving the highest exposure. The deep dose equivalent, lens dose equivalent, and shallow dose equivalent may be assessed from surveys or other radiation measurements for the purpose of demonstrating compliance with the occupational dose limits, if the individual monitoring device was not in the region of highest potential exposure or the results of individual monitoring are unavailable.

D. – G. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), LR 22:969 (October 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2769 (December 2000), LR 30:1188 (June 2004), amended by the Office of the Secretary, Legal Division, LR 40:1341 (July 2014).

§417. Dose to an Embryo/Fetus

A. – B. …

C. The dose equivalent to the embryo/fetus is the sum of:

1. the deep-dose equivalent to the declared pregnant woman; and

2. the dose equivalent to the embryo/fetus resulting from radionuclides in the embryo/fetus and radionuclides in the declared pregnant woman.

D. If by the time the woman declares pregnancy to the licensee or registrant, the dose equivalent to the embryo/fetus has exceeded 5 mSv (0.5 rem), the licensee or registrant shall be deemed to be in compliance with Subsection A of this Section if the additional dose equivalent to the embryo/fetus does not exceed 0.5 mSv (0.05 rem) during the remainder of the pregnancy.[i2]

[2]The National Council on Radiation Protection and Measurements recommended in NCRP Report No. 91, "Recommendations on Limits for

Exposure to Ionizing Radiation" (June 1, 1987), that no more than 0.5 mSv (0.05 rem) to the embryo/fetus be received in any one month.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), LR 22:970 (October 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2769 (December 2000), amended by the Office of the Secretary, Legal Division, LR 40:1341 (July 2014).

§431. Conditions Requiring Individual Monitoring of External and Internal Occupational Dose

A. Each licensee or registrant shall monitor exposures from sources of radiation at levels sufficient to demonstrate compliance with the occupational dose limits of this Chapter. Each licensee or registrant shall monitor occupational exposure to radiation and shall supply and require the use of individual monitoring devices by:

A.1. – A.4.b. …

c. when only one individual monitoring device is issued to determine the effective dose equivalent for external radiation in accordance with LAC 33:XV.410.D, it shall be located at the neck outside the protective apron. When a second individual monitoring device is used for the same purpose, it shall be located under the protective apron at the waist. The second individual monitoring device is required for a declared pregnant woman.

B. – B.2. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), LR 22:971 (October 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2770 (December 2000), amended by the Office of the Secretary, Legal Division, LR 40:1341 (July 2014).

Subchapter Z. Appendices

§499. Appendices A, B, C, D, E

A. Appendix A.

Appendix A Assigned Protection Factors for Respirators[a]		
Type of Respirator	**Operating Mode**	**Assigned Protection Factors (APF)**
I. Air-Purifying Respirators [Particulate[b] Only][c]		
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B. Appendix B.

Appendix B

Annual Limits on Intake (ALI) and Derived Air Concentrations (DAC) of Radionuclides for Occupational Exposure; Effluent Concentrations; Concentrations for Release to Sanitary Sewerage

***

The derived air concentration (DAC) values are derived limits intended to control chronic occupational exposures. The relationship between the DAC and the ALI is given by:

$$DAC = \frac{ALI \text{ (in } \mu Ci)}{(2000 \text{ hrs/working yr} \times 60 \text{ min/hr} \times 2 \times 10^4 \text{ ml/min})}$$

$$= \frac{ALI}{2.4 \times 10^9} \mu Ci/ml$$

where:

2×10^4 ml is the volume of air breathed per minute at work by the reference man under working conditions of light work.

***

C. Appendix C.

Appendix C.

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D. Appendix D.

Appendix D.

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E. Appendix E.

Appendix E.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and 2104.B.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), LR 20:653 (June 1994), LR 22:973 (October 1996), LR 24:2096 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2580 (November 2000), LR 28:1012 (May 2002), amended by the Office of Environmental Assessment, LR 31:48 (January 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2530 (October 2005), LR 33:2183 (October 2007), amended by the Office of the Secretary, Legal Division, LR 40:289 (February 2014), LR 40:1341 (July 2014).

Chapter 5. Radiation Safety Requirements for Industrial Radiographic Operations

Subchapter B. Personal Radiation Safety Requirements for Radiographers

§573. Conducting Industrial Radiographic Operations

A. – E.2. …

3. two years of documented radiation protection experience, including knowledge of industrial radiographic operations, with at least 2000 hours of hands-on experience as a qualified radiographer in industrial radiographic operations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 27:1234 (August 2001), amended LR 28:1951 (September 2002), LR 29:34 (January 2003), amended by the Office of the Secretary, Legal Division, LR 40:1342 (July 2014).

Chapter 7. Use of Radionuclides in the Healing Arts

§713. Suppliers

A. For medical use, a licensee may only use:

1. sealed sources or devices, manufactured, labeled, packaged, and distributed in accordance with a license issued in accordance with these regulations or the equivalent regulations of another agreement state, a licensing state, or the Nuclear Regulatory Commission;

2. sealed sources or devices non-commercially transferred from a Nuclear Regulatory Commission Medical Licensee, a licensing state medical use licensee, or an agreement state medical use licensee; and

3. teletherapy sources manufactured and distributed in accordance with a license issued pursuant to these regulations or the equivalent regulations of another agreement state, a licensing state, or the U.S. Nuclear Regulatory Commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 24:2103 (November 1998), amended by the Office of the Secretary, Legal Affairs Division, LR 36:1772 (August 2010), amended by the Office of the Secretary, Legal Division, LR 40:1342 (July 2014).

§763. Training

A. Training for a Radiation Safety Officer. Except as provided in Subsection B of this Section, the licensee shall require an individual fulfilling the responsibilities of the radiation safety officer as provided in LAC 33:XV.706 to be an individual:

1. who is certified by a specialty board whose certification process has been recognized by the Nuclear Regulatory Commission or an agreement state, and who meets the requirements in Paragraphs A.4 and 5 of this Section. (The names of board certifications that have been recognized by the Nuclear Regulatory Commission or an agreement state will be posted on the NRC's web page.) To have its certification process recognized, a specialty board shall require all candidates for certification to:

a. – b.ii. …

(a). under the supervision of a medical physicist who is certified in medical physics by a specialty board recognized by the Nuclear Regulatory Commission or an agreement state; or

(b). in a clinical nuclear medicine facility providing diagnostic and/or therapeutic services under the direction of a physician who meets the requirements for an authorized user in Subsection B, or D or Paragraph E.1 of this Section; and

1.b.iii. – 3. …

a. is a medical physicist who has been certified by a specialty board whose certification process has been recognized by the Nuclear Regulatory Commission or an agreement state in accordance with Subsection J of this Section, and who has experience in radiation safety for similar types of use of byproduct material for which the licensee is seeking the approval of the individual as radiation safety officer, and who meets the requirements in Paragraphs A.4 and 5 of this Section; or

A.3.b. – B.3. …

4. A physician, dentist, or podiatrist identified as an authorized user for the medical use of byproduct material on a license issued by the Nuclear Regulatory Commission or agreement state, a permit issued by a commission master material licensee, a permit issued by a commission or an agreement state broad scope licensee, or a permit issued by a commission master material license broad scope permittee before October 24, 2002, who performs only those medical uses for which he or she was authorized on that date need not comply with the training requirements of this Section.

5. A physician, dentist, or podiatrist identified as an authorized user for the medical use of byproduct material on a license issued by the Nuclear Regulatory Commission or agreement state, a permit issued by a commission master material licensee, a permit issued by a commission or an agreement state broad scope licensee, or a permit issued by a commission master material license broad scope permittee who performs only those medical uses for which he or she was authorized between October 24, 2002 and April 29, 2005, need not comply with the training requirements of this Section.

6. – 7. …

C. Training for Uptake, Dilution, and Excretion Studies. Except as provided in Subsection B of this Section, the licensee shall require the authorized user of unsealed byproduct material for the uses authorized in LAC 33:XV.729 to be a physician:

1. who is certified by a medical specialty board whose certification process has been recognized by the Nuclear Regulatory Commission or an agreement state, and who meets the requirements in Subparagraph C.3.b of this Section. (The names of board certifications that have been recognized by the Nuclear Regulatory Commission or an agreement state will be posted on the NRC's web page.) To have its certification process recognized, a specialty board shall require all candidates for certification to:

a. – b. …

2. who is an authorized user under Subsection D or Paragraph E.1 of this Section, or equivalent agreement state requirements, or Nuclear Regulatory Commission requirements or Subparagraph C.3.a of this Section;

3. – 3.a.i.(e). …

ii. work experience, under the supervision of an authorized user who meets the requirements in Subsection B or C or D or Paragraph E.1 of this Section, or equivalent agreement state requirements, or Nuclear Regulatory Commission requirements involving:

(a). – (f). …

b. has obtained written attestation, signed by a preceptor authorized user who meets the requirements in Subsection B or C or D or Paragraph E.1 of this Section, or equivalent agreement state requirements or Nuclear Regulatory Commission requirements, that the individual has satisfactorily completed the requirements in Subparagraph C.1.a or C.3.a of this Section and has achieved a level of competency sufficient to function independently as an authorized user for the medical uses authorized in LAC 33:XV.729.

D. Training for Imaging and Localization Studies. Except as provided in Subsection B of this Section, the licensee shall require the authorized user of unsealed byproduct material for the uses authorized in LAC 33:XV.731.H to be a physician:

1. who is certified by a medical specialty board whose certification process has been recognized by the Nuclear Regulatory Commission or an agreement state, and who meets the requirements in Subparagraph D.3.b of this Section. (The names of board certifications that have been recognized by the Nuclear Regulatory Commission or an agreement state will be posted on the NRC's web page.) To have its certification process recognized, a specialty board shall require all candidates for certification to:

1.a. – 3.a.i.(e). ...

ii. work experience, under the supervision of an authorized user, who meets the requirements in this Subsection, Subsection B or Subclause D.3.a.ii.(f) and Paragraph E.1 of this Section, or equivalent agreement state requirements, or Nuclear Regulatory Commission requirements involving:

(a). – (g). …

b. has obtained written attestation, signed by a preceptor authorized user who meets the requirements in this Subsection, Subsection B or Subclause D.3.a.ii.(f) and Paragraph E.1 of this Section, or equivalent agreement state requirements, or Nuclear Regulatory Commission requirements that the individual has satisfactorily completed the requirements in Subparagraph D.1.a or D.3.a of this Section and has achieved a level of competency sufficient to function independently as an authorized user for the medical uses authorized in LAC 33:XV.729 and LAC 33:XV.731.H.

E. – E.1. …

a. who is certified by a medical specialty board whose certification process has been recognized by the Nuclear Regulatory Commission or an agreement state, and who meets the requirements in Division E.1.b.i.(b).(vii) and Clause E.1.b.ii of this Section. (Specialty boards whose certification processes have been recognized by the Nuclear Regulatory Commission or an agreement state will be posted on the NRC's web page.) To be recognized, a specialty board shall require all candidates for certification to:

a.i. – b.i.(a).(v). …

(b). work experience, under the supervision of an authorized user who meets the requirements in this Paragraph, Subsection B of this Section or equivalent agreement state requirements or Nuclear Regulatory Commission requirements. A supervising authorized user, who meets the requirements in Subparagraph E.1.b of this Section, shall also have experience in administering dosages in the same dosage category or categories (i.e., Division E.1.b.i.(b).(vii) of this Section) as the individual requesting authorized user status. The work experience shall involve:

(i). – (vii).[d]. …

ii. has obtained written attestation that the individual has satisfactorily completed the requirements in Clause E.1.a.i and Division E.1.b.i.(b).(vii) or Clause E.1.b.i of this Section, and has achieved a level of competency sufficient to function independently as an authorized user for the medical uses authorized in LAC 33:XV.735.C. The written attestation shall be signed by a preceptor authorized user who meets the requirements in this Paragraph, Subsection B of this Section or equivalent agreement state requirements or Nuclear Regulatory Commission requirements. The preceptor authorized user who meets the requirements in Subparagraph E.1.b of this Section shall have experience in administering dosages in the same dosage category or categories (i.e., Division E.1.b.i.(b).(vii) of this Section) as the individual requesting authorized user status.

2. Training for the Oral Administration of Sodium Iodide I-131 Requiring a Written Directive in Quantities Less Than or Equal To 1.22 Gigabecquerels (33 millicuries).

Except as provided in Subsection B of this Section, the licensee shall require an authorized user for the oral administration of sodium iodide I-131 requiring a written directive in quantities less than or equal to 1.22 Gigabecquerels (33 millicuries) to be a physician:

a. who is certified by a medical specialty board whose certification process includes all of the requirements in Clauses E.2.c.i and ii of this Section and whose certification process has been recognized by the Nuclear Regulatory Commission or an agreement state, and who meets the requirements in Clause E.2.c.iii of this Section. (The names of board certifications that have been recognized by the Nuclear Regulatory Commission or an agreement state will be posted on the NRC's web page.); or

b. who is an authorized user in accordance with Paragraph E.1 of this Section for uses listed in Subdivision E.1.b.i.(b).(vii).[a] or [b] of this Section, Paragraph E.3 of this Section, or equivalent agreement state requirements or Nuclear Regulatory Commission requirements; or

c. – c.i.(e). …

ii. has work experience, under the supervision of an authorized user who meets the requirements in Subsection B or Paragraph E.1, 2, or 3 of this Section, or equivalent agreement state requirements or Nuclear Regulatory Commission requirements. A supervising authorized user who meets the requirements in Subparagraph E.1.b of this Section shall also have experience in administering dosages as specified in Subdivision E.1.b.i.(b).(vii).[a] or [b] of this Section. The work experience shall involve:

(a). – (e). …

(f). administering dosages to patients or human research subjects that includes at least three cases involving the oral administration of less than or equal to 1.22 Gigabecquerels (33 millicuries) of sodium iodide I-131; and

iii. has obtained written attestation that the individual has satisfactorily completed the requirements in Clauses E.2.c.i and ii of this Section, and has achieved a level of competency sufficient to function independently as an authorized user for medical uses authorized in LAC 33:XV.735.C. The written attestation shall be signed by a preceptor authorized user who meets the requirements in Subsection B or Paragraph E.1, 2, or 3 of this Section, or equivalent agreement state requirements or Nuclear Regulatory Commission requirements. A preceptor authorized user who meets the requirement in Subparagraph E.1.b of this Section shall also have experience in administering dosages as specified in Subdivision E.1.b.i.(b).(vii).[a] or [b] of this Section.

3. Training for the Oral Administration of Sodium Iodide I-131 Requiring a Written Directive in Quantities Greater Than 1.22 Gigabecquerels (33 millicuries). Except as provided in Subsection B of this Section, the licensee shall require an authorized user for the oral administration of sodium iodide I-131 requiring a written directive in quantities greater than 1.22 Gigabecquerels (33 millicuries) to be a physician:

a. who is certified by a medical specialty board whose certification process includes all of the requirements in Clauses E.3.c.i and ii of this Section and whose certification process has been recognized by the Nuclear Regulatory Commission or an agreement state, and who meets the requirements in Clause E.3.c.iii of this Section. (The names of board certifications that have been recognized by the Nuclear Regulatory Commission or an agreement state will be posted on the NRC's web page.); or

b. who is an authorized user in accordance with Paragraph E.1 of this Section for uses listed in Subdivision E.1.b.i.(b).(vii).[b] of this Section, or equivalent agreement state requirements or Nuclear Regulatory Commission requirements; or

c. – c.i.(e). …

ii. has work experience, under the supervision of an authorized user who meets the requirements in Subsection B or Paragraph E.1 or 3 of this Section, or equivalent agreement state requirements or Nuclear Regulatory Commission requirements. A supervising authorized user who meets the requirements in Subparagraph E.1.b of this Section shall also have experience in administering dosages as specified in Subdivision E.1.b.i.(b).(vii).[b] of this Section. The work experience shall involve:

(a). – (e). …

(f). administering dosages to patients or human research subjects that includes at least three cases involving the oral administration of greater than 1.22 Gigabecquerels (33 millicuries) of sodium iodide I-131; and

iii. has obtained written attestation that the individual has satisfactorily completed the requirements in Clauses E.3.c.i and ii of this Section, and has achieved a level of competency sufficient to function independently as an authorized user for medical uses authorized in LAC 33:XV.735.C. The written attestation shall be signed by a preceptor authorized user who meets the requirements in Subsection B or Paragraph E.1 or 3 of this Section, or equivalent agreement state requirements or Nuclear Regulatory Commission requirements. A preceptor authorized user who meets the requirements in Subparagraph E.1.b of this Section shall also have experience in administering dosages as specified in Subdivision E.1.b.i.(b).(vii).[b] of this Section.

4. Training for the Parenteral Administration of Unsealed Byproduct Material Requiring a Written Directive. Except as provided in Subsection B of this Section, the licensee shall require an authorized user for the parenteral administration requiring a written directive to be a physician:

a. who is an authorized user in accordance with Paragraph E.1 of this Section for uses listed in Subdivision E.1.b.i.(b).(vii).[c] or [d] of this Section, or equivalent

agreement state requirements or Nuclear Regulatory Commission requirements; or

b. who is an authorized user in accordance with Subsection F or I of this Section, or equivalent agreement state requirements, Nuclear Regulatory Commission requirements, and who meets the requirements in Subparagraph E.4.d of this Section; or

c. who is certified by a medical specialty board whose certification process has been recognized by the Nuclear Regulatory Commission or an agreement state in accordance with Subsection F or I of this Section, and who meets the requirements in Subparagraph E.4.d of this Section; or

d. – d.i.(e). …

ii. has work experience, under the supervision of an authorized user who meets the requirements in Subsection B or Paragraph E.1 or 4 of this Section, or equivalent agreement state requirements, or Nuclear Regulatory Commission requirements in the parenteral administration, for which a written directive is required, of any beta emitter, or any photon-emitting radionuclide with a photon energy less than 150 keV, and/or parenteral administration of any other radionuclide for which a written directive is required. A supervising authorized user who meets the requirements in Paragraph E.1 of this Section shall have experience in administering dosages as specified in Subdivisions E.1.b.i.(b).(vii).[c] and/or [d] of this Section. The work experience shall involve:

(a). – (f). …

iii. has obtained written attestation that the individual has satisfactorily completed the requirements in Subparagraph E.4.b or c of this Section, and has achieved a level of competency sufficient to function independently as an authorized user for the parenteral administration of unsealed byproduct material requiring a written directive. The written attestation shall be signed by a preceptor authorized user who meets the requirements in Subsection B or Paragraph E.1 or 4 of this Section, or equivalent agreement state requirements or Nuclear Regulatory Commission requirements. A preceptor authorized user who meets the requirements in Paragraph E.1 of this Section shall have experience in administering dosages as specified in Subdivisions E.1.b.i.(b).(vii).[c] and/or [d] of this Section.

F. …

1. who is certified by a medical specialty board whose certification process has been recognized by the Nuclear Regulatory Commission or an agreement state, and who meets the requirements in Subparagraph F.2.c of this Section. (The names of board certifications that have been recognized by the Nuclear Regulatory Commission or an agreement state will be posted on the NRC's web page.) To have its certification process recognized, a specialty board shall require all candidates for certification to:

1.a. – 2.a.i.(d). …

ii. 500 hours of work experience under the supervision of an authorized user who meets the requirements in this Subsection, Subsection B of this Section or equivalent agreement state requirements or Nuclear Regulatory Commission requirements at a medical institution, involving:

(a). – (f). …

b. has completed three years of supervised clinical experience in radiation oncology under the supervision of an authorized user who meets the requirements in this Subsection, Subsection B of this Section or equivalent agreement state requirements, or Nuclear Regulatory Commission requirements as part of a formal training program approved by the Residency Review Committee for Radiation Oncology of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Committee on Postdoctoral Training of the American Osteopathic Association. This experience may be obtained concurrently with the supervised work experience required in Subparagraph F.2.a.ii of this Section; and

c. has obtained written attestation, signed by a preceptor authorized user who meets the requirements in this Subsection, Subsection B of this Section or equivalent agreement state requirements, or Nuclear Regulatory Commission requirements that the individual has satisfactorily completed the requirements in Subparagraph F.1.a, or Paragraph F.2.a and b of this Section, and has achieved a level of competency sufficient to function independently as an authorized user of manual brachytherapy sources for the medical uses authorized in LAC 33:XV.741.

G. …

1. who is an authorized user in accordance with Subsection F of this Section, or equivalent agreement state requirements or Nuclear Regulatory Commission requirements; or

2. – 2.b.iv. …

c. has obtained written attestation, signed by a preceptor authorized user who meets the requirements in Subsections B or F and G of this Section, or equivalent agreement state requirements, or Nuclear Regulatory Commission requirements that the individual has satisfactorily completed the requirements in Paragraphs G.1 and 2 of this Section and has achieved a level of competency sufficient to function independently as an authorized user of strontium-90 for ophthalmic use.

H. …

1. who is certified by a specialty board whose certification process includes all of the requirements in Paragraphs H.2 and 3 of this Section and whose certification process has been recognized by the Nuclear Regulatory Commission or an agreement state. (The names of board certifications that have been recognized by the Nuclear

Regulatory Commission or an agreement state will be posted on the NRC's web page.); or

H.2. – I. …

1. who is certified by a medical specialty board whose certification process has been recognized by the commission or an agreement state, and who meets the requirements in Subparagraph I.2.c and Paragraph I.3 of this Section. (The names of board certifications that have been recognized by the Nuclear Regulatory Commission or an agreement state will be posted on the NRC's web page.) To have its certification process recognized, a specialty board shall require all candidates for certification to:

1.a. – 2.a.i.(d). …

ii. 500 hours of work experience under the supervision of an authorized user who meets the requirements in this Subsection, or Subsection B of this Section or equivalent agreement state requirements or Nuclear Regulatory Commission requirements at a medical institution, involving:

(a). – (f). …

b. has completed three years of supervised clinical experience in radiation therapy under the supervision of an authorized user who meets the requirements in this Subsection, or Subsection B of this Section or equivalent agreement state requirements, or Nuclear Regulatory Commission requirements, as part of a formal training program approved by the Residency Review Committee for Radiation Oncology of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Committee on Postdoctoral Training of the American Osteopathic Association. This experience may be obtained concurrently with the supervised work experience required in Clause I.2.a.ii of this Section; and

c. has obtained written attestation that the individual has satisfactorily completed the requirements in Subparagraph I.1.a or Subparagraphs I.2.a and b and Paragraph I.3 of this Section, and has achieved a level of competency sufficient to function independently as an authorized user of each type of therapeutic medical unit for which the individual is requesting authorized user status. The written attestation must be signed by a preceptor authorized user who meets the requirements in this Subsection or Subsection B of this Section or equivalent agreement state requirements or Nuclear Regulatory Commission requirements for an authorized user for each type of therapeutic medical unit for which the individual is requesting authorized user status; and

I.3. – J. …

1. who is certified by a specialty board whose certification process has been recognized by the Nuclear Regulatory Commission or an agreement state, and who meets the requirements in Subparagraph J.2.b and Paragraph J.3 of this Section. (The names of board certifications that have been recognized by the Nuclear Regulatory Commission or an agreement state will be posted on the NRC's web page.) To have its certification process recognized, a specialty board shall require all candidates for certification to:

a. – b.i. …

ii. in a clinical radiation facility providing high-energy, external beam therapy (photons and electrons with energies greater than or equal to 1 million electron volts) and brachytherapy services under the direction of a physician who meets the requirements for an authorized user in Subsection B, F or I of this Section; and

1.c. – 2.a.iv. …

b. has obtained written attestation that the individual has satisfactorily completed the requirements in Subparagraphs J.1.a and b and Paragraph J.3, or Subparagraph J.2.a and Paragraph J.3, of this Section, and has achieved a level of competency sufficient to function independently as an authorized medical physicist for each type of therapeutic medical unit for which the individual is requesting authorized medical physicist status. The written attestation must be signed by a preceptor authorized medical physicist who meets the requirements in this Subsection, Subsection B of this Section or equivalent agreement state requirements or Nuclear Regulatory Commission requirements for an authorized medical physicist for each type of therapeutic medical unit for which the individual is requesting authorized medical physicist status; and

J.3. – K. …

1. who is certified by a specialty board whose certification process has been recognized by the Nuclear Regulatory Commission or an agreement state, and who meets the requirements in Subparagraph K.2.b of this Section. (The names of board certifications that have been recognized by the Nuclear Regulatory Commission or an agreement state will be posted on the NRC's web page.) To have its certification process recognized, a specialty board shall require all candidates for certification to:

1.a. – 2.b. …

L. Reserved.

M. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq and 2104.B.1.

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